



41

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: ALVAREZ =1

In re Application of:)	Art Unit: 3723
)	
Raphael ALVAREZ-ORONoz)	Examiner: L. Wilson
)	
Appln. No.: 09/743,854)	Washington, D.C.
)	
Date Filed: April 18, 2001)	Confirmation No. 8723
)	
For: AUTOMOBILE LIFTING JACK)	November 19, 2004

REQUEST FOR FURTHER EXAMINATION BASED ON APPLICANT'S
REPLY FILED JANUARY 7, 2002

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop AMENDMENT
Crystal Plaza Two, Lobby, Room 1B03
Honorable Commissioner for Patents
Arlington, Virginia 22202

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Sir:

Applicant filed a Reply on January 7, 2002, to Paper No. 6, an Office Action mailed September 5, 2001. To date, applicant has received no further action from the PTO.

The Facts

Subsequent to applicant's filing of the Reply of January 7, 2002, and upon hearing nothing further from the PTO, applicant filed a first request for status on December 27, 2002.

Applicant then filed a second request for status on June 27, 2003.

On July 8, 2003, applicant received from the PTO a handwritten note written at the bottom of a copy of the status request of June 27, 2003, that "Office Action mailed out on Sept. 5, 2001".

No other feedback having been received from the PTO, applicant filed by fax, on January 8, 2004, a copy of applicant's Reply of January 7, 2002, together with our postcard receipt on which the PTO acknowledged receipt of applicant's Reply filed January 7, 2002. Attached as Exhibit A are (1) a copy of telefax control sheet addressed to Examiner Lee Wilson as Exhibit A-1, (2) a copy of postcard receipt in which the PTO acknowledged receipt of applicant's Reply filed January 7, 2002, as exhibit A-2, and (3) and a copy our fax receipt evidencing receipt by the PTO of applicant's 12 page fax on January 8, 2004, at fax number 703-746-3284, as exhibit A-3.

Still, applicant received no feedback from the PTO; and so on March 1, 2004, applicant submitted a third request for status (incorrectly marked "Second Request For Status"). In reply to that third request for status, we received a communication from Larry I. Schwartz, Administrator, Customer Service Center, that the "case is being flagged Lost and

reconstructions will take place shortly. Carolyn Brown, 703-308-2192, will be handling the reconstruction process."

In view of the fact that both the first copy (original) and the second copy of applicant's Reply filed January 7, 2002, may have been lost in the PTO, attached herewith is a third copy of such Reply.

Applicant respectfully requests prompt action from the PTO.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By



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TELEFAX CONTROL SHEET

SENT TO: Examiner Lee Wilson 703-746-3284

DATE SENT: 8 January 2004

SUBJECT: Appln # 09/743,854, Our ref: ALVAREZ1

No. of pages (including this cover sheet): 11

FROM: Erin D. Geraghty, Docketing / Paralegal Manager

Remarks:

Attached please find copies of the Amendment previously
submitted on January 7, 2002, along with the receipt
postcard.

Thank you for your assistance with this matter.

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Exhibit A-1



APPLICANT(S): Rafael Alvarez ORONZO DOCKET NO.: Alvarez = 1
APPLICATION NO: 091743,854 CONF. NO.: 8723

THE PATENT AND TRADEMARK OFFICE STAMP
HEREON ACKNOWLEDGES RECEIPT OF THE
FOLLOWING PAPERS:

☒ FEES \$ 55.00

☒ PTO FORM 2038 ☐ (CH. # _____)

☒ EXTENSION OF TIME (1 MONTHS)

☒ TRANSMITTAL LETTER

☐ MISSING PARTS RESPONSE WITH DECL

☒ AMENDMENT RESPONSE (circle one)

☐ PRELIMINARY

☐ SUPPLEMENTAL

☐ APPLICATION DATA SHEET

☐ RESTRICTION/ELECTION REPLY

☐ SEQUENCE LISTING ☐ WITH DISK

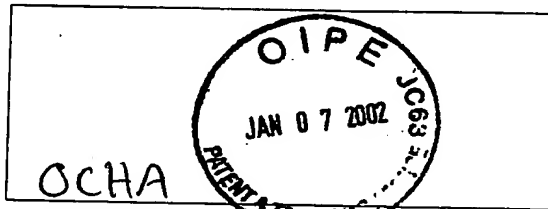
☐ RCE / CPA TRANSMITTAL (circle one)

☐ NOTICE OF APPEAL

☐ APPEAL BRIEF (TRIPPLICATE)

☐ REPLY BRIEF (TRIPPLICATE)

☐ OTHER _____



☐ ASSIGNMENT

☐ INFORMATION DISCLOSURE STATEMENT

☐ FORM 1449 & _____ PATENTS/PUBS

☐ PRIORITY DOCUMENT(S) NO. _____

☐ DECLARATION UNDER § _____

☐ LETTER TO DRAFTSMAN

☐ _____ SHEETS OF DRAWINGS

☐ ISSUE FEE TRANSMITTAL FORM

☐ MAINTENANCE FEE LETTER

B&N-1

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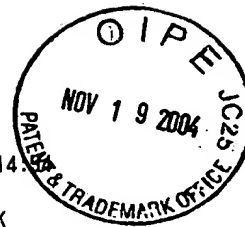
NOV 24 2004

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Exhibit A-2

Confirmation Report - Memory Send

Time : Jan-08-2004 14:
Tel line : 2027373528
Name : BROWDY NEIMARK



Job number : 899
Date : Jan-08 14:51
To : 17037463284H
Document pages : 012
Start time : Jan-08 14:51
End time : Jan-08 14:54
Pages sent : 012
Status : OK

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Job number : 899

*** SEND SUCCESSFUL ***

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Exhibit A-3